

# **CITY OF ROCKLIN**



## **SIGN ORDINANCE GUIDELINES**

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**REFER TO ORDINANCE NO. 778 & 780**

**17.75.010. Purpose and Intent.**

The City Council finds as follows:

- A. An excess of large, ugly, intense signs causes a visual blight on the open space. This visual blight adversely affects the aesthetic quality of life and traffic safety in Rocklin for residents, businesses, pedestrians, and persons in vehicles. In order to promote the appearance of the city, while protecting the rights of sign owners to expression and identification, the regulation of existing and proposed signs is necessary to protect the public health, safety, and general welfare.
- B. The purpose of this chapter is to encourage signs which are integrated with, and harmonious to, the buildings and sites which they occupy, to eliminate excessive and confusing sign displays, to preserve and improve the appearance of the city as a place in which to live and to work and as an attraction to non-residents who come to visit or trade, and to restrict signs which increase the probability of accidents by distracting attention or obstructing vision.
- C. This chapter provides minimum standards to safeguard life, safety, property and public welfare by regulating the size, height, construction, location, electrification, operation and maintenance of all signs and sign structures exposed to public view within the city. The pleasing visual appearance and traffic safety of the city cannot be preserved and achieved by measures less restrictive than the procedures and standards of this chapter.

**17.75.020. Applicability.**

- A. This chapter shall not apply to the following signs:
  - 1. Signs which are not visible from any public vehicular or pedestrian right-of-way;
  - 2. Signs required by Federal or State law which do not exceed the minimum number and dimensional requirements of that law.
  - 3. Holiday decorations.
- B. Non-commercial messages may be placed on any sign otherwise permitted by this chapter.
- C. Real estate signs may be placed as authorized by Civil Code Section 713 et seq., subject to the following requirements:
  - 1. Real estate signs shall comply with the type, number, area, height, special restrictions, and permitting requirements applicable to temporary signs in the zoning district in which the real estate sign is located.
  - 2. Real estate signs shall comply with the provisions of section 17.75.030 Standards, except that portable signs may be used as real estate signs.

**17.75.030. Standards.**

All signs shall comply with the following requirements except that signs located in the Rocklin Downtown Area, as delineated by the Rocklin Downtown Revitalization Plan and Design Guidelines (Guidelines), shall also comply with the requirements of the Guidelines.

**A. Limitations**

1. No sign shall exceed the number, size, height and location limitations of the district in which it is located.
2. Window signs shall not cover more than 35% of the area of each window. Total signage placed on any window may not include unused signage amounts allowable for other windows. For the purpose of defining window area, multiple windows separated by mullions or frames of less than 4 inches are considered a single window. Window sign area shall not be considered in computing the maximum allowed building signage.

**B. Illumination**

1. The light from any illuminated sign shall be so shaded, shielded or directed that the light intensity or brightness shall not cause adverse glare to surrounding areas.
2. Except where otherwise expressly permitted, no signs shall be equipped with blinking, flashing, or fluttering lights or other illuminating device which has a changing light intensity, brightness, or color.

**C. Placement of Signs**

1. Commercial signs shall be located on or within 500 feet of the property on which the business product, service, or other commercial activity which is being advertised is located, except that commercial signs for businesses located on Granite Drive shall be located on or within 1,000 feet of the property on which the business product, service, or other commercial activity which is being advertised is located. Whenever an off-site sign is placed on another property, the off-site sign shall be deducted from the number and area of signs allowed on the property where the off-site sign is located.

2. a. Except as provided in b. below, a sign shall not be located in, or project over, the public right-of-way or other public property,
  - b. Building signs in the Rocklin Front Street Historic District and the Downtown District may encroach into the public right-of-way or other public property, as delineated by the Rocklin Downtown Revitalization Plan and Design Guidelines, with an encroachment permit issued by the city engineer.
3. Building signs shall be placed so as not to project above the roof line, except signs may be placed on a parapet wall, and up to the ridge of a mansard roof.
4. At street intersections, no sign exceeding thirty inches in height shall be erected within the "clear view zone" as defined in Section 17.75.090.
5. Signs placed at or near driveway entries shall not obstruct the view of drivers entering or leaving driveways.
6. Signs shall not be placed on trees, utility poles, benches, and fences.
7. Signs shall not be placed in such a manner as to obstruct a door or fire escape of any building.
8. Freestanding signs shall be set back a minimum of three feet (3') from any property line adjacent to a street or the street right-of-way.
9. Signs shall not be placed and/or designed in such a manner as to create a traffic hazard. Examples of such sign placement and/or design include, but are not limited to, signs which interfere with traffic sight distances, traffic flow, or the visual access to a traffic sign; and signs with color, configuration, text, or location which cause them to be mistaken for, or otherwise imitate, a traffic sign or signal.

D. Construction Standards

1. All signs shall be constructed in accordance with applicable requirements of R.M.C. Chapter 15.04, Uniform Construction Codes.

2. Permanent signs shall be constructed of durable materials.
3. Use of banner signs as permanent signs is prohibited.
4. Signs which rotate, spin, or otherwise move are prohibited.
5. Portable signs are prohibited either as permanent or temporary signs except as provided for in section 17.75.060(H).

E. Maintenance

All signs shall be properly maintained. Exposed surfaces shall be cleaned and painted if necessary. The structural integrity of signs shall be maintained at all times. Defective parts shall be replaced. Any sign in a state of disrepair is hereby declared to be a public nuisance and may be abated pursuant to chapter 8.04 of R.M.C.

**17.75.040. Signs Exempt from Permit Requirements.**

The following signs are exempt from the permit requirements of Section 17.75.070 but must comply with all other provisions of this chapter.

1. Signs which are less than 4 square feet, and are located in a non-residential zoning district except that all portable signs shall require a sign permit.
2. Permanent building signs which are 2 square feet or less in any residential zoning district.
3. Temporary signs in any residential zoning district.
4. Temporary non-commercial signs located in any non-residential zoning district for the period commencing 45 days before a general or special election (as defined in the California Election Code) to be conducted within the City of Rocklin, and ending 5 days after such elections.



**17.75.050. Permanent Signs.**

Unless otherwise stated, the following regulations apply on a per lot basis.

- A. Vacant lots in single family residential and R-2 zoning districts.
  - 1. Types of signs permitted: non-commercial freestanding signs.
  - 2. Maximum number of signs:
    - a. One sign for the first 300 feet of each street frontage or part thereof; and
    - b. One sign for each additional 300 feet of street frontage.
  - 3. Area limitations: Maximum of 24 square feet per sign.
  - 4. Height limitations: Eight feet.
  - 5. Special restrictions: No illumination.
- B. Vacant lots in multi-family and non-residential zoning districts.
  - 1. Types of signs permitted: Commercial and non-commercial freestanding signs.
  - 2. Maximum number of signs:
    - a. One sign for the first 300 feet of each street frontage or part thereof; and
    - b. One sign for each additional 300 feet of street frontage.
  - 3. Area limitations: Maximum of 48 square feet per sign.
  - 4. Height limitations: Eight feet.
  - 5. Special restrictions: No illumination.
- C. Developed lots in single-family and R-2 zoning districts, excluding institutional uses.
  - 1. Types of signs permitted: Non-commercial building and freestanding signs.
  - 2. Maximum number of signs:

- a. One building sign per residence; and
    - b. One freestanding sign per street frontage of common area, located within the common area.
  - 3. Area limitations:
    - a. Maximum of 2 square feet for building signs.
    - b. Maximum of 16 square feet for freestanding signs located in common area.
  - 4. Height limitations:
    - a. Six feet for freestanding signs.
  - 5. Special restrictions. No illumination.
- D. Developed lots in R-3 zoning districts.
- 1. Types of signs permitted: Commercial and non-commercial building and freestanding signs
  - 2. Maximum number of signs:
    - a. One freestanding sign per street frontage or one sign per vehicular entrance, whichever is greater except that two signs may be allowed at a project entry driveway if the signs are designed as an integral part of the project's entry wall, as determined by the Community Development Director.
    - b. Two (2) building signs per street frontage for the complex.
  - 3. Area limitations:
    - a. Maximum of 32 square feet for each freestanding sign.
    - b. Maximum of 32 square feet for each building sign for the complex.
  - 4. Height limitations:
    - a. Six feet for freestanding signs.
- E. Institutional uses in residential districts:

1. Types of signs permitted: Commercial and non-commercial building and freestanding signs.
  2. Maximum number of signs:
    - a. One freestanding sign per street frontage, or one sign per vehicular entrance, whichever is greater, and
    - b. Two building signs per street frontage.
  3. Area limitations:
    - a. Maximum of 32 square feet for each freestanding sign.
    - b. Maximum of 32 square feet for each building sign.
  4. Height limitations: Six feet for freestanding signs.
- F. Developed lots in business professional, commercial, and industrial zoning districts, except lots along the 1-80 freeway:
1. Types of signs permitted: Commercial and non-commercial building and freestanding signs.
  2. Maximum number of signs:
    - a. One freestanding sign for the first 200 feet of street frontage or part thereof, and one additional freestanding sign for each additional 200 feet of street frontage. All parcels included in a single conditional use permit shall be considered a single parcel for purposes of calculating the maximum number of signs allowed.
    - b. There is no limit on the number of building signs per tenant building frontage, provided the sign area limitations are not exceeded.
  3. Area limitations:
    - a. Two square feet of building sign area for each linear foot of tenant building frontage, up to a maximum of one hundred square feet for each tenant building frontage. A tenant building frontage which exceeds 100 linear feet is allowed one additional square foot of sign area for each additional linear foot of tenant building frontage over 100 feet.

- b. Maximum of 100 square feet for each freestanding sign. Where more than one business is located on the same lot or in the same building, a joint use sign may be erected not to exceed 200 square feet. Signs oriented toward, and located within 100 feet of the freeway, and located on parcels contiguous to I-80 or Highway 65, excluding properties contiguous to Stanford Ranch/Highway 65 interchange shall be allowed a maximum sign area of 200 square feet for a single business or 300 square feet for a joint-use sign.
- 4. Height limitations:
  - a. Fifteen (15) feet for freestanding signs oriented to a city street, except that where more than one freestanding sign exists or is proposed on a parcel, only one such sign may have a height greater than 6 feet;
  - b. Thirty (30) feet for freestanding signs which are oriented to the Highway 65 freeway, excluding properties contiguous to Stanford Ranch Road/Highway 65 interchange, provided the freestanding sign is located within 100 feet of the freeway and is located on a lot which is contiguous to the freeway.
  - c. Sixty (60) feet for freestanding signs which are:
    - i. oriented to a Highway 65 freeway interchange, excluding properties contiguous to the Stanford Ranch Road/Highway 65 Interchange, and
    - ii. located on a lot which is contiguous to the freeway, and
    - iii. located within 100 feet of a freeway interchange.
  - d. Fifteen (15) feet for freestanding signs oriented to the Stanford Ranch/Highway 65 interchange and provided the sign is within 100 feet of the interchange and is located on a lot contiguous to the interchange.
- 5. Special Restrictions

For the purpose of calculating allowable sign area, two or more businesses located in the same tenant space shall be considered one tenant building frontage.

G. Developed lots in business professional, commercial, and industrial zoning districts along the 1-80 freeway:

1. Types of signs permitted: Commercial and non-commercial building and freestanding signs.
2. Maximum number of signs:
  - a. One freestanding sign per lot. All lots included in a single conditional use permit shall be considered a single lot for purposes of calculating the maximum number of signs allowed.
  - b. There is no limit on the number of building signs per tenant building frontage, provided the sign area limitations are not exceeded.
3. Area limitations:
  - a. Two square feet of building sign area for each linear foot of tenant building frontage, up to a maximum of one hundred square feet for each tenant building frontage. A tenant building frontage which exceeds 100 linear feet is allowed one additional square foot of sign area for each additional linear foot of tenant building frontage over 100 feet.
  - b. Maximum of 200 square feet for freestanding sign for a single business or 300 square feet for a freestanding joint-use sign.
4. Height limitations:

Thirty (30) feet, provided the freestanding sign is located within 100 feet of the freeway.
5. Special Restrictions:

For the purpose of calculating allowable sign area, two or more businesses located in the same tenant space shall be considered one tenant building frontage.

H. Planned Development Districts

Signage restrictions for Planned Development (PD) Districts shall be based on the requirements of the zoning district most comparable to the PD or land use in question.

**17.75.060. Temporary Signs.**

In addition to permanent signs allowed under Section 17.75.040, temporary signs are allowed as provided below. Unless otherwise stated, the following regulations apply on a per lot basis:

- A. There shall be no restriction on the number and size of temporary non-commercial signs in all districts for the period commencing 45 days before a general or special election, as defined in the California Election Code, and ending 5 days after such elections.
- B. Temporary commercial signs shall not be displayed for more than 90 days in any calendar year. Portable signs allowed in accordance with section 17.75.060(H) shall be in addition to temporary signs allowed for each business.
- C. Vacant lots in single family residential zoning districts.
  - 1. Types of signs permitted: Commercial and non-commercial freestanding signs.
  - 2. Maximum number of signs:
    - a. One sign for the first 300 feet of each street frontage or part thereof; and
    - b. One sign for each additional 300 feet of street frontage.
  - 3. Area limitations: Maximum of 24 square feet per sign.
  - 4. Height limitations: Eight feet.
  - 5. Special restrictions: No illumination.
- D. Vacant lots in multi-family and non-residential zoning districts.
  - 1. Types of signs permitted: Commercial and non-commercial freestanding signs.
  - 2. Maximum number of signs:
    - a. One sign for the first 300 feet of each street frontage or part thereof; and
    - b. One sign for each additional 300 feet of street frontage.

3. Area limitations: Maximum of 48 square feet per sign.
  4. Height limitations: Eight feet.
  5. Special restrictions: No illumination.
- E. Developed lots in single-family and R-2 zoning districts, excluding institutional uses.
1. Types of signs permitted: Non-commercial building and freestanding signs.
  2. Maximum number of signs:
    - a. One building sign per residence; or
    - b. One freestanding sign per street frontage.
  3. Area limitations:
    - a. Maximum of 4 square feet for building signs;
    - b. Maximum of 9 square feet for freestanding signs.
  4. Height limitations: Six feet for freestanding signs.
  5. Special restrictions: No illumination.
- F. Developed lots in R-3 zoning district.
1. Types of signs permitted: Commercial and Non-commercial building and freestanding signs.
  2. Maximum number of signs:
    - a. One freestanding sign per street frontage, and
    - b. One building sign per building frontage.
  3. Area limitations:
    - a. Maximum of 9 square feet for freestanding signs.
    - b. Maximum of 16 square feet for building signs.

4. Height limitations: Six feet.
5. Special restrictions: No illumination.

G. Institutional uses in residential districts:

1. Types of signs permitted: Commercial and non-commercial building and freestanding signs.
2. Maximum number of signs:
  - a. One freestanding sign per street frontage, and
  - b. One building sign per street frontage.
3. Area limitations:
  - a. Maximum of 9 square feet for each freestanding sign.
  - b. Maximum of 16 square feet for each building sign.
4. Height limitations: Six feet.
5. Special restrictions: No illumination.

H. Developed lots in business professional, commercial, and industrial districts:

1. Types of signs permitted: Commercial and non-commercial building, freestanding signs, and portable signs which comply with the requirements of subsection 2d, 3c, 4b, 5a and 5b below.
2. Maximum number of signs:
  - a. One freestanding sign per street frontage for the complex; and
  - b. One freestanding sign for each tenant building frontage, and
  - c. One building sign for each business within each tenant building frontage. In lieu of a building sign, special advertising devices, such as balloons and pennants, may be displayed, provided the display period does not exceed 14



days. Special advertising devices shall be exempt from the area and height restrictions of paragraphs 3 and 4 below.

- d. One portable sign for new businesses.

3. Area limitations:

- a. Maximum of 16 square feet for each freestanding sign excluding the allowed signage for portable signs.
- b. Maximum of 32 square feet for each building sign.
- c. Maximum of 12 square feet for portable signs.

4. Height limitations:

- a. Eight feet for freestanding signs.
- b. Four (4) feet for portable signs.

5. Special Restrictions:

- a. Freestanding signs in excess of 6 feet shall not be located closer than 100 feet from any other freestanding sign.
- b. Portable signs shall be allowed for a one-time only, 90 continuous day period for new businesses, provided the 90-day period occurs within 6 months of the start of the business.

**17.75.070. Permit Requirements and Procedures.**

- A. The community development director shall be responsible for the administration and enforcement of this chapter.
- B.
  - 1. Except as otherwise provided by this chapter, no sign (permanent or temporary) shall be installed, erected or displayed until the director has determined that its design and placement comply with all requirements of this chapter and has issued a sign permit to the applicant and proprietor of the sign.
  - 2. A sign permit is not required to repair, clean, repaint, or refurbish any existing sign, unless such activity involves the replacement, reconstruction, or relocation of the sign.
  - 3. No permit is required for changing the copy of a sign provided: (1) there are no changes to the sign structure or cabinet, and (2) the area of the sign is not being enlarged.
- C. An application for a sign permit shall be made on a form prescribed by the director and accompanied by a fee in an amount established by city council resolution. The application shall, at a minimum, contain the following:
  - 1. The name, address, telephone number, and signature of the owner or lessee, or contractor of the property upon which the sign is to be located;
  - 2. A plot plan which shows the location of the building or lot, upon which sign is to be placed;
  - 3. A dimensioned elevation of the building on which the sign is to be placed with the location of the sign clearly identified;
  - 4. A scaled or dimensioned drawing of the sign and its relative location on the building and/or location of freestanding signs on the lot;
  - 5. A list of all existing signs on the lot and/or tenant building frontage
- D. Signs shall be approved as follows:
  - 1. The director shall review a completed sign permit application and shall issue the sign permit upon determination that the sign meets the requirements of this chapter.

2. Signs located in Downtown Rocklin, as delineated in the Rocklin Downtown Revitalization Plan and Design Guidelines, shall require Design Review approval by the Planning Commission.
- E. The director's decision may be appealed to the commission, and the commission's decision may be appealed to the council under Chapter 17.86.
- F. Issuance of a sign permit shall not relieve the applicant from complying with all other applicable laws relating to displaying or erecting a sign, including, but not limited to, obtaining any required sign or electrical permit under R.M.C. Chapter 15.04 Uniform Construction Codes.
- G. Signs associated with projects subject to design review under Chapter 17.72 shall be regulated as a part of and under the criteria governing design review. Design review shall not authorize a sign to exceed the limitations on the number, size, height, and location of signs contained in this chapter, but may restrict the number, size, height, and location of signs below that allowed in this chapter.

**17.75.080. Non-conforming Signs.**

- A. Non-conforming signs shall be permitted to remain until such time as any of the events listed in B, below, occurs. At such time, the sign must be removed or brought into conformance with this chapter.
- B. A non-conforming sign shall lose its status as a non-conforming sign if any of the following occurs:
  - 1. The sign is relocated or replaced.
  - 2. The structure, height or size of the sign is altered in any way except toward compliance with this chapter. Face changes and normal maintenance are allowed.
  - 3. The sign structure is damaged or destroyed by more than fifty percent of its value at the time of damage or destruction.

**17.75.090. Definitions.**

For purposes of this chapter, the following words and phrases shall have the meanings given below:

- A. "Banner sign" means a temporary sign made of non-rigid material such as fabric, canvas, plastic, or paper, and without an enclosing rigid framework.
- B. "Building sign" means a sign attached to a building and includes, but is not limited to, wall signs, banners, under canopy signs, projecting signs, awning signs, and window signs.
- C. "Clear view zone" means the area of a corner lot closest to the intersection which must be kept free of visual impairment to allow full view of both pedestrian and vehicular traffic. Typically, such an area is established by marking a point at which the two curb lines intersect, measuring back twenty-five (25) feet on each street front, and drawing a line across the two back points to form a triangulated area.
- D. "Commercial sign" means any sign, wording, logo, or other representation that names or advertises a business, location, product, service, or other commercial activity.
- E. "Common area" means land within or related to a development not individually owned or dedicated for public use, that is designed and intended for the common use or enjoyment of the residents and their guests of the development and may include such complementary structures and improvements as are necessary and appropriate.
- F. "Developed lot" means a lot or parcel containing a structure intended for occupancy. It also includes all of the area of a non-residential use included in a single conditional use permit as long as at least one parcel has a structure intended for occupancy.
- G. "Director" means the community development director of the City of Rocklin or his/her designated representative.
- H. "Flashing sign" means an illuminated sign in which artificial or reflected light is not intended to be maintained in a stationary or constant intensity. This includes a time and temperature recording device and electronic reader board.
- I. "Freestanding sign" means a sign which is self-supporting in a fixed location or supported on the ground by poles or braces, and not attached to a building or other structure.

- J. "Freeway interchange" means the right-of-way line of freeway ramps. Where improvements are proposed to the interchange, at the discretion of the City Engineer, the right-of-way of the proposed interchange may be used for determining eligibility and location for freeway pole signs.
- K. "Holiday decorations" means non-permanent signs or displays, including lighting, celebrating national, state, and local holidays or holiday seasons.
- L. "Illegal sign" means a sign which is not a non-conforming sign and does not meet the requirements of this chapter.
- M. "Illuminated sign" means any sign utilizing an artificial source of light (internal or external) to enhance its visibility.
- N. "Institutional uses" means churches, day care facilities, private schools, community care facilities, nursing homes, and clubhouses, or other facilities owned by a homeowners association.
- O. "Lots along the I-80 freeway" means lots which share a common property boundary with the I-80 freeway or any of its interchanges.
- P. "New business" means the start of operation of a new business at a given location or the relocation of an existing business to a new location. Change in ownership of an existing business in and of itself shall not constitute a new business.
- Q. "Non-commercial sign" is any sign which is not a commercial sign.
- R. "Non-conforming sign" means a sign which, though lawful when erected, would be prohibited under later-enacted changes to the regulations applicable to it.
- S. "Off-site" sign means any sign which advertises goods, products, services, establishment or facilities not sold or offered at the property on which the sign is located.
- T. "Permanent sign", means a sign intended for display for longer than 90 consecutive days in a calendar year.
- U. "Portable sign" means any sign designed to be moved easily and not permanently attached to the ground or other permanent structure. Portable signs include, but are not limited to, A- or T-frame signs, menu and sandwich board signs, and signs designed to be transported by means of wheels,

- V. "Projecting sign" means a sign which uses a building or structure as its main source of support and contains copy that is perpendicular or at an angle to the building face, and does not extend above the roof line.
- W. "Real Estate sign" means a sign advertising that real property is for sale, lease, or exchange by the owner or his agent, giving directions to the property, and giving the owner's or agent's name, address, and telephone number.
- X. "Roof-line" means the line formed by the junction of the top surface of the roof and the outside building of any building, excluding any structure constructed solely as an architectural feature to extend height or to screen equipment.
- Y. "Roof sign" means a sign placed upon, projecting from, or extending above the eaves of the roof or the roof itself. A sign hanging from and below the eave is not a roof sign.
- Z. "Sign" means any painting, device, structure, fixture or placard using graphics, symbols, and/or written copy which is used, or intended to be used, to attract attention to an activity, belief, establishment, location, product, goods, or services. Sign shall include both commercial and non-commercial signs whenever not specifically designated.
- AA. "Sign area" means the following: The sign area of a sign with borders and/or background is measured by a single continuous perimeter enclosing the exterior limits of the border or background. The necessary supports, uprights, or base upon which the sign is placed shall be excluded from the sign area. The sign area of an individually lettered sign without background is measured by enclosing the entire sign with a set of parallel vertical and horizontal lines. In computing the area of double-faced signs less than two (2) feet distance between faces only one side of the sign shall be computed as the total area.
- BB. "Sign, face change" means any changes to the letter style, size, color, background, or message, but not including a change in the sign's location, height, or an increase in the sign area.
- CC. "Sign height" means the vertical distance measured from the highest point of the sign to the upper surface of the grade beneath the sign. For signs which are oriented toward and located within 100 feet of the freeway, located on parcels contiguous to I-80 or Highway 65, sign height shall be the vertical distance measured from the highest point of the sign to the upper surface of the center line of the nearest freeway travel lane, excluding freeway ramps.

- DD. "Special advertising devices" means balloons, pennants, and other physical devices used for advertising as approved by the Community Development Director.
- EE. "Street frontage" means the horizontal distance of a lot or portion thereof which abuts a public or private street.
- FF. "Temporary sign" means a sign intended for display for not longer than 90 cumulative days in a calendar year.
- GG. "Tenant building frontage" means the horizontal distance of a building or portion thereof occupied by a tenant measured along a wall facing a street, parking area, open space or pedestrian walkway.
- HH. "Window sign" means a sign attached to, placed or painted upon, or placed within 18 inches of, the window or glass door of a building, and/or is solely intended for viewing from the exterior of such building.



**17.75.100 Violation – Penalty.**

- A. It is illegal to use, occupy, or maintain property in violation of this chapter.
- B. Violation of this chapter shall be a misdemeanor, but may be charged as either a misdemeanor or an infraction in the discretion of the prosecuting attorney.
- C. If charged as an infraction, the minimum penalty for a first conviction is a \$50.00 fine. For a second conviction within one year, the minimum penalty is a \$75.00 fine. For a third or subsequent conviction within one year, the minimum penalty is a \$100.00 fine.
- D. A person who violates the provisions of this chapter is guilty of a separate offense for each day, or portion thereof, during which the violation continues.
- E. Violation of this chapter which threatens to be continuing in nature is a public nuisance which may be abated or enjoined as such in accordance with chapter 8.04 or any other provision of law.

**Pre-existing Illegal Signs - Inventory and Abatement**

- A. The City Council finds that an identification and inventory of illegal or abandoned signs within the City was undertaken and completed on March 31, 1998. The results of this identification and inventory have been presented to and considered by this City Council in the course of a public hearing, at which there was opportunity for public input.
- B. All existing portable signs shall be abated within 12 months of the effective date of this ordinance.

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